

NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* 1st as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Arizona Administrative Register* after the final rules have been submitted for filing and publication.

NOTICE OF FINAL RULEMAKING

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 2. ARIZONA RACING COMMISSION

PREAMBLE

1. **Sections Affected**
R19-2-325
- Rulemaking Action**
Amend
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. § 5-104(A)(2)
Implementing statute: A.R.S. § 5-104(G)
3. **The effective date for the rules.**
August 7, 1996
4. **A list of all previous notices that appearing in the Register addressing the final rule:**
Notice of Rulemaking Docket Opening:
2 A.A.R. 885, February 2, 1996

Notice of Proposed Rulemaking:
2 A.A.R. 1462, April 19, 1996
5. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: William J. Walsh

Address: Department of Racing
15 South 15th Avenue, Suite 100
Phoenix, Arizona 85007

Telephone: (602) 542-5151
Fax: (602) 542-5177
6. **An explanation of the rule, including the agency's reasons for initiating the rule:**
The amendment strikes language requiring a kennel permit per A.R.S. § 11-1009. The current rule is an unnecessary duplication of an already existing statute requiring counties to issue a kennel permit. The amendment also rennumbers the other Sections of the rule necessitated by the deletion of R19-2-325(A)(1).
7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
Not applicable.
8. **The summary of the economic, small business, and consumer impact:**
None.
9. **A description of the changes between the proposed rules, and final rules:**
No changes were made.
10. **A summary of the principal comments and the agency response to them:**
There were no comments.
11. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
None.
12. **Incorporations by reference and their location in the rules:**
Not applicable.

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13. Whether the rule was previously adopted as an emergency rule and, if so, whether the text was changed between adoption as an emergency and the adoption of these final rules:
No.
14. The full text of the rule:

TITLE 19. ALCOHOL, HORSE AND DOG RACING, LOTTERY, AND GAMING

CHAPTER 2. ARIZONA RACING COMMISSION

ARTICLE 3. GREYHOUND RACING

Section

R19-2-325. Grounds of the Racing Kennel, Breeding Farm, or Other Operation

ARTICLE 3. GREYHOUND RACING

R19-2-325. Grounds of the Racing Kennel, Breeding Farm, or Other Operation

A. General

- ~~1. Racing kennels, breeding farms, and other operations shall have a current kennel permit as may be required by A.R.S. § 11-1009.~~
- ~~2-1.~~ Food supplies and bedding materials shall be stored to protect them from contamination or infestation by vermin or other factors which would render the food or bedding unsanitary. All meat shall be kept frozen or refrigerated until such time that it is to be thawed for immediate consumption.
- ~~3-2.~~ Washrooms, basins, or sinks shall be readily accessible for maintaining cleanliness among greyhound caretakers and sanitizing of food and water utensils. Running water shall be immediately available and hot water shall be obtainable on the premises to properly disinfect dishes, utensils, or other equipment.
- ~~4-3.~~ Waste materials shall be removed at least daily and disposed of at least weekly to minimize vermin infestation, odors, and disease hazards.

- ~~5-4.~~ Dropping buckets shall have lids in place except while in use and shall be stored in an area removed from kennel housing and run housing.
- ~~6-5.~~ Space shall be provided to prevent crowding and to allow freedom of movement and comfort to the greyhounds.
- ~~7-6.~~ Females in estrus shall not be housed with racing dogs or males except for breeding purposes.
- ~~8-7.~~ Cleaning supplies and pesticides shall be stored in a secure area completely separate from food, bedding storage, and greyhounds.
- ~~9-8.~~ The grounds shall be free of weeds and other materials that may constitute a fire or other hazard and that may create a breeding ground for fleas and ticks.
- ~~10-9.~~ Racing kennels, breeding farms, and other operations in Arizona shall apply for a license to operate from the Department. Greyhounds bred, whelped, raised, trained, or kenneled by unlicensed Arizona operations shall not be eligible to race within Arizona.

B. No change.

1. No change.
2. No change.
3. No change.
4. No change.
5. No change.
6. No change.
7. No change.
8. No change.